

10/590958  
IAPG Rec'd PCT/PTO 25 AUG 2006

Docket No.: 13987-00019-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Petra Cirpus et al.

Application No.: National Phase of  
PCT/EP2005/001865

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: METHOD FOR PRODUCING  
UNSATURATED OMEGA-3-FATTY ACIDS  
IN TRANSGENIC ORGANISMS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

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Application No.: National Phase of PCT/EP2005/001865

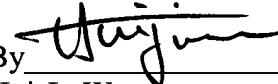
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This statement is not to be interpreted as a representation that the cited documents are material, that a search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed per se as a representation that such document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 13987-00019-US.

Respectfully submitted,

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PTO/SB/08a/b (07-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO				<i>Complete if Known.</i>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Petra Cirpus
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	4	Attorney Docket Number 13987-00019-US	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA*	US-5,614,393		03-25-1997	Thomas T. L. et al.	
AB*	US-6,043,411		03-28-2000	Nishizawa et al.	
AC*	US-20040049805-A1		03-11-2004	Lerchl et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
BA	WO-91/13972		09-19-1991	Calgene Inc.	
BB	WO-93/06712		04-15-1993	Rhone-Poulenc Agrochimie	
BC	WO-93/11245		06-10-1993	E.I. DuPont De Nemours and Co.	
BD	EP-0 550 162		07-07-1993	Pioneer Hi-Bred International, Inc.	
BE	WO-94/11516		05-26-1994	E.I. duPont de Nemours And Company	
BF	WO-94/18337		08-18-1994	Monsanto Company & Michigan State University	
BG	WO-95/18222		07-06-1995	Kirin Beer Kabushiki Kaisha	See US 6,043,411
BH	WO-96/21022		07-11-1996	Rhone-Poulenc Agrochimie	
BI	WO-97/21340		06-19-1997	Cargill, Inc.	
BJ	WO-97/30582		08-28-1997	Carnegie Institution Of Washington & Monsanto Co., Inc.	
BK	EP-0 794 250		09-10-1997	Soremartec S.A. & Ferrero S.p.A.	
BL	WO-98/46763		10-22-1998	Calgene LLC & Abbott Laboratories	
BM	WO-98/46764		10-22-1998	Calgene LLC & Abbott Laboratories	
BN	WO-98/46765		10-22-1998	Calgene LLC & Abbott Laboratories	
BO	WO-98/46776		10-22-1998	Calgene LLC	
BP	WO-99/27111		06-03-1999	University of Bristol	
BQ	WO-99/64616		12-16-1999	Abbott Laboratories	
BR	WO-00/21557		04-20-2000	Merck & Co., Inc.	

Examiner Signature	Date Considered
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Substitute for form 1449A/B/PTO				Complaint Known 117500958	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Petra Cirpus
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	4	Attorney Docket Number	13987-00019-US

	BS	WO-02/057464	07-25-2002	BASF Plant Science GmbH		
	BT	WO-03/064596	08-07-2003	Abbott Laboratories		
	BU	WO-2004/071467	08-26-2004	E. I. duPont de Nemours and Company		
	BV	WO-2005/012316	02-10-2005	BASF Plant Science GmbH		See Abstract

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with a single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>2</sup>
	CA	Abbadie, A. et al., "Biosynthesis of Very-Long-Chain Polyunsaturated Fatty Acids in Transgenic Oilseeds: Constraints on Their Accumulation", <i>The Plant Cell</i> 16 (2004), pp. 2734-2748.				
	CB	Akimoto, M. et al., "Carbon Dioxide Fixation and Polyunsaturated Fatty Acid Production by the Red Alga <i>Porphyridium Cruentum</i> ", <i>Applied Biochemistry and Biotechnology</i> 73 (1998), pp. 269-278.				
	CC	Calder, P.C., "Dietary Modification of Inflammation with Lipids", <i>Proceedings of the Nutrition Society</i> 61 (2002), pp. 345-358.				
	CD	Cleland, L.G. et al., "Fish Oil and Rheumatoid Arthritis: Antiinflammatory and Collateral Health Benefits", <i>The Journal of Rheumatology</i> , 27:10 (2000), pp. 2305-2307.				
	CE	Chalova, L.I. et al., "The Composition of Lipids of Phytophthora-Infestans and Their Ability to Induce Potato Phytoalexin Accumulation", Database BIOSIS, Abstract No. PREV198885045135, 1987.				
	CF	"MY-26-A-10 PinfestansMY Phytophthora infestans cDNA, mRNA sequence." Database EMBL, Accession No. BE777235, 9/21/2000.				
	CG	Domergue, F. et al., "Cloning and Functional Characterization of <i>Phaeodactylum tricornutum</i> Front-End Desaturases Involved in Eicosapentaenoic Acid Biosynthesis", <i>Eur. J. Biochem.</i> 269 (2002), pp. 4105-4113.				
	CH	Horrocks, L.A. et al., "Health Benefits of Docosahexaenoic Acid (DHA)", <i>Pharmacological Research</i> 40:3 (1999), pp. 211-225.				
	CI	Huang, Y-S. et al., "Cloning of Δ12- and Δ6-Desaturases from <i>Mortierella alpina</i> and Recombinant Production of γ-Linolenic Acid in <i>Saccharomyces cerevisiae</i> ", <i>Lipids</i> 34:7 (1999), pp. 649-659.				
	CJ	Kamoun, S. et al., "Initial Assessment of Gene Diversity for the Oomycete Pathogen <i>Phytophthora infestans</i> Based on Expressed Sequences", <i>Fungal Genetics and Biology</i> 28 (1999), pp. 94-106.				
	CK	Khozin, I. et al., "Elucidation of the Biosynthesis of Eicosapentaenoic Acid in the Microalga <i>Porphyridium cruentum</i> ", <i>Plant Physiol.</i> 114 (1997), pp. 223-230.				
	CL	McKeon, T. et al., "Stearoyl-Acyl Carrier Protein Desaturase from Safflower Seeds", in "Methods in Enzymology", Vol. 71, Part C: Lipids, Editor: J. Lowenstein (1981), New York, pp. 275-281.				
	CM	Pereira, S.L. et al., "A Novel ω3-Fatty Acid Desaturase Involved in the Biosynthesis of				

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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				First Named Inventor	Petra Cirpus
				Art Unit	N/A
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Sheet	3	of	4	Attorney Docket Number	
13987-00019-US					

	Eicosapentaenoic Acid", Biochem. J. 378 (2004), pp. 665-671.	
CN	Pereira, S.L. et al., "Recent Advances in the Study of Fatty Acid Desaturases from Animals and Lower Eukaryotes", Prostaglandins, Leukotrienes and Essential Fatty Acids 68 (2003), pp. 97-106.	
CO	Poulos, A., "Very Long Chain Fatty Acids in Higher Animals - A Review", Lipids 30:1 (1995), pp. 1-14.	
CP	Sakuradani, E. et al., " $\Delta$ 6-Fatty Acid Desaturase from an Arachidonic Acid-Producing <i>Mortierella</i> Fungus Gene Cloning and Its Heterologous Expression in a Fungus, <i>Aspergillus</i> ", Gene 238 (1999), pp. 445-453.	
CQ	Shimokawa, H., "Beneficial Effects of Eicosapentaenoic Acid on Endothelial Vasodilator Functions in Animals and Humans", World Rev. Nutr. Diet 88 (2001), pp. 100-108.	
CR	Spychalla, J.P. et al., "Identification of an Animal $\omega$ -3 Fatty Acid Desaturase by Heterologous Expression in <i>Arabidopsis</i> ", Proc. Natl. Acad. Sci. USA 94 (1997), pp. 1142-1147.	
CS	Stukey, J.E. et al., "The <i>OLE1</i> Gene of <i>Saccharomyces cerevisiae</i> Encodes the $\Delta$ 9 Fatty Acid Desaturase and Can Be Functionally Replaced by the Rat Stearoyl-CoA Desaturase Gene", The Journal of Biological Chemistry 265:33 (1990), pp. 20144-20149.	
CT	Takeyama, H. et al., "Expression of the Eicosapentaenoic Acid Synthesis Gene Cluster from <i>Shewanella</i> sp. in a Transgenic Marine Cyanobacterium, <i>Synechococcus</i> sp.", Microbiology 143 (1997), pp. 2725-2731.	
CU	Tocher, D.R. et al., "Recent Advances in the Biochemistry and Molecular Biology of Fatty Acyl Desaturases", Prog. Lipid Res. 37:2/3 (1998), pp. 73-117.	
CV	Totani, N. et al., "The Filamentous Fungus <i>Mortierella alpina</i> , High in Arachidonic Acid", Lipids, 22:2 (1987), pp. 1060-1062.	
CW	Vazhappilly, R. et al., "Heterotrophic Production Potential of Omega-3 Polyunsaturated Fatty Acids by Microalgae and Algae-like Microorganisms", Botanica Marina 41 (1998), pp. 553-558.	
CX	Wada, H. et al., "Enhancement of Chilling Tolerance of a Cyanobacterium by Genetic Manipulation of Fatty Acid Desaturation", Nature 347 (1990), pp. 200-203.	
CY	Wang, X.-M. et al., "Biosynthesis and Regulation of Linolenic Acid in Higher Plants", Physiol. Biochem. 26:6 (1988), pp. 777-792.	
CZ	Yu, R. et al., "Production of Eicosapentaenoic Acid by a Recombinant Marine Cyanobacterium, <i>Synechococcus</i> sp.", Lipids, 35:10 (2000), pp. 1061-1064.	
CA1	Zank, T.K. et al., "Cloning and Functional Characterisation of an Enzyme Involved in the Elongation of $\Delta$ 6-polyunsaturated Fatty Acids from the Moss <i>Physcomitrella patens</i> ", The Plant Journal 31:3 (2002), pp. 255-268.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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